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(293/088)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Dennis Wahr et al.
Application No. : 09/870,813 Confirmation No. : 1270
Filed : June 1, 2001
For : CLOSURE DEVICES, RELATED DELIVERY
METHODS AND TOOLS, AND RELATED METHODS
OF USE
Examiner : Gary Jackson
Group Art Unit : 3731

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OFFICE OF PETITIONS

New York, New York 10020
November 30, 2005

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Commissioner for Patents
P.O. Box 1450
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PETITION FOR WITHDRAWAL FROM ISSUE
UNDER 37 C.F.R. § 1.313(c)(2)

Sir:

The above-identified patent application was allowed on April 19, 2005 and applicants paid issue and publication fees on July 19, 2005. Applicants now wish to disclose two references to the Patent and Trademark Office in connection with the application before the issue of an expected patent based on the application. Therefore, under 37 C.F.R. § 1.313(c)(2), applicants hereby petition the Commissioner to withdraw the above-identified patent application from issue to prevent the patent from issuing at this time and to permit consideration of the references.

Applicants respectfully note that 37 C.F.R. § 1.313 states in relevant part that:

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(c) Once the issue fee has been paid, the application will not be withdrawn from issue upon petition by the applicant for any reason except:

* * *

(2) Consideration of a request for continued examination in compliance with § 1.114[.]

In satisfaction of 37 C.F.R. § 1.313(c)(2), applicants are filing concurrently herewith a Request for Continued Examination of this application under 37 C.F.R. § 1.114, along with a Seventh Supplemental Information Disclosure Statement that brings the references to the attention of the Patent and Trademark Office.

The Director is hereby authorized to charge the amount of \$130.00, in payment of the fee set forth in 37 C.F.R. § 1.17(h) for consideration of this Petition, and any additional fees that may be required in connection with this Petition, or any of the papers filed herewith, or to credit any overpayment of same, to Deposit Account No. 06-1075, Order No. 000293-0088. A duplicate copy of this petition is enclosed.

Applicants respectfully submit that the requirements of 37 C.F.R. §1.313(c)(2) are satisfied and that this Petition is grantable. Applicants respectfully request

Application No. 09/870,813

that the Commissioner grant this Petition in time to prevent the expected issuance of a patent on this application.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Edward M. Arons', is written over a horizontal line.

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